Sri B. N. BORANNA GOWDA.—You have stated that 69 cases of acquisition are pending. Since how long are they pending ?

* Sri R. CHENNIGARAMAIAH.—Since 1956.

Sri B. N. BORANNA GOWDA.—When are they going to settle these acquisition cases ?

Sri R. CHENNIGARAMAIAH.—The answers are given. They will be settled as quickly as possible. In respect of 31 cases preliminary work has already been done.

Disturbance during the Procession of Shivaji Portrait at Belgaum.

Q—.235. Sri N. O. SAMAJI (Belgaum II).—

Will the Government be pleased to state :—

(*a*) whether they are aware that when the bullock cart procession of the portrait of Shivaji from Khadak Galli was returning home at 11 o'Clock on the night of 3rd May 1957, seven Muslims assaulted the processionists with knives and lathis were hurled and stones thrown from some other quarters;

(*b*) the names of persons injured in this and the nature of their injuries ;

(*c*) the number and names of persons whose statements were recorded in the hospital (copies of such statements be placed on the Table of this House) ;

(*d*) whether it is a fact that the statements were recorded in Kannada ;

(*e*) the names of persons arrested in this connection ?

A.—Sri C. M. POONACHA (Minister for Home Affairs and Industries).—

(*a*) After the dissolution of the procession at Kapileshwar at about 23-15 hours the Khadak Galli processionists were returning home. At Chonga Masjid, two Muslims suddenly attacked with knives the persons returning home with the image of Shivaji on the "GADA". There were only two assailants and not seven. No lathis or stones were thrown.

(*b*), (*c*), (*d*) & (*e*) Six persons are standing trial in Court in connection with the incident to which the question relates. As the case is *sub judice*, the information asked for cannot be given.

Sri N. O. SAMAJI.—(In Marathi) Before this question, there is one question in my name which has not been put to the House.

Mr. SPEAKER.—The same question was replied to yesterday when the question of Hon'ble Sri V. S. Patil was put to the House. At that time, the Hon'ble Member could have asked the supplementaries.

Sri N. O. SAMAJI.—(In Marathi)Sir, had I got this idea then I would have asked the supplementaries. I, therefore, request the Chair that my question may be put again.

Mr. SPEAKER.—The question once replied to cannot now be put before the House again.

Sri N. O. SAMAJI.—(In Marathi) Is it a fact that there were four armed police when the people there were attacked by lathis in front of the Chonga mosque ?

Sri C. M. POONACHA.—Yes.

Sri N. O. SAMAJI.—(In Marathi) Is it a fact that the police on the spot did not make any attempt to prevent this attack ?

Sri C. M. POONACHA.—However, action was taken by the Police on the spot when the trouble started.

Sri N. O. SAMAJI.—(In Marathi) Is it a fact that there was an image of Sri Shivaji Maharaj on the GADA and while the GADA was proceeding the stones were thrown by some people and due to that the image was disfigured ?

Sri C. M. POONACHA.—No Sir, but actually when the GADA was returning after the entire procession was over, due to rattling some images were broken.

Sri N. O. SAMAJI.—(In Marathi) Does Government know that image of Sri Shivaji Maharaj was fastened tightly to the GADA so that the same should not move or fall down ?

2 P. M.

ಶ್ರೀ ಸಿ. ಎಂ. ಪೂಣಚ್ಚ.—ನನಗೆ ಹೇಳಲಿಕ್ಕೆ ಬರುವುದಿಲ್ಲ.

Sri L. B. BIRJE.—(In Marathi)Sir, There was no Hindu-Muslim disturbance in Belgaum district for the last 50 years. Does Government suspect that this trouble was backed by the Congress people ?

Sri C. M. POONACHA.—I must emphatically say that it is not correct to maintain that opinion.

Sri J. H. SHAMSUDDIN.—Is Government aware that the unreasonable and intolerant attitude of the processionists was responsible for the disturbances ?

Mr. SPEAKER.—I should not allow this question because it is *sub judice*.

Sri J. H. SHAMSUDDIN.—I am asking about the cases that are pending. There is no enquiry as to the causes of the incidents there. If the Government had appointed a committee, judicial or otherwise, to enquire into the causes of the disturbances, that matter would have been *sub Judice* It is only the attack on the persons that is *sub judice* and I am not asking questions about that. I am only asking about the causes of the disturbances which are not *sub judice*.

Mr. SPEAKER.—I am afraid that even then it may be *sub judice*.

ಶ್ರೀ ಎ. ಆರ್. ಪಂಚಗವಿ.—ಬೆಳಗಾಂ ಜಿಲ್ಲಾ ಕಾಂಗ್ರೆಸ್ ಕಮಿಟಿಯ ಚಿತಾವಣಿಯಿಂದ ಎಂದು ಮಾನ್ಯ ಸದಸ್ಯರು ಹೇಳಿದರು. ಈ ಕಾಂಗ್ರೆಸ್ ಕಮಿಟಿ ಎಷ್ಟು ವರ್ಷದಿಂದ ಇದೆ ?

ಅಧ್ಯಕ್ಷರು.—ಇದೇನು ಪ್ರಶ್ನೆ ! ಅದು ಸರಿಯಾದ ಪ್ರಶ್ನೆಯಲ್ಲ.

Sri B. R. SUNTHANKAR.—Clause (*d*) of this question does not come under *sub judice*. So, it should be replied.

Mr. SPEAKER.—The Hon'ble Member wants to know in what language the statements were recorded.

Sri C. M. POONACHA.—I have no information to that effect here with me.

Sri B. R. SUNTHANKAR.—Is the Government aware that the statements of Marathi people are recorded in Kannada at the police stations ?

Sri C. M. POONACHA.—I have to check up. I have not got the original papers with me here.

Sri Y. VEERAPPA.—Was any licence taken to take this portrait in procession ?

Sri C. M. POONACHA.—Police permission was taken to lead the procession.

Sri Y. VEERAPPA.—Was there any police staff to accompany the procession?

Sri C. M. POONACHA.—There was a police unit following the processionists.

Sri B. R. SUNTHANKAR.—May I know whether the Government is aware that the Maharashtra Ekikaran Samiti condemned these incidents while the District Congress Committee did not ?

Sri C. M. POONACHA.—I am not aware of that fact.

Sri J. H. SHAMSUDDIN.—Is it a fact that the old route usually taken by the procession was changed deliberately this year on account of the insolent attitude of the Maharashtra Samiti ?

Mr. SPEAKER.—Instead of the Hon'ble Member using such hot words it will be better if he asked whether the route was changed.

Sri J. H. SHAMSUDDIN.—May I know whether there was a deliberate change in the route ?

Mr. SPEAKER.— The Hon'ble Member may put the question without the sting in it.

Sri J. H. SHAMSUDDIN.—May I know whether there was a change in the route ?

Sri C. M. POONACHA.—Unusually this year the route of the procession was changed. It was quite different as compared with previous years.

Sri J. H. SHAMSUDDIN.—Was the incident due to the change of the route?

Sri C. M. POONACHA.—I cannot exactly say but the new route passed through Jinnah Chowk.

Sri L. N. BIRJE.—(InMarathi) Is Government aware that originally the procession was proposed to be taken by a different route, but the Police compelled the people to take the procession via Jinnah Chowk ?

Sri C. M. POONACHA.—I am not aware of that fact, but usually processions are not led through the shortest route.

Sri N. O. SAMAJI.—(In Marathi) Sir while this Shiva Jayanti procession was proceeding via Jenna Chowk it was attacked at 6 P.M. Is not Government of the opinion that had

(SRI N. O. SAMAJI)

preventive steps been taken in proper time by the Police the stabbing which took place at 11 P.M. would have been avoided ?

Sri K. HANUMANTHAIYA.—On a point of order, Sir. I find that this question is being repeated in one form or the other. Secondly, it is a case *sub judice*. What exactly forms information and what answers to questions transgress limits and become *sub judice* is a very complicated matter. I for one with the little experience I have in the parliamentary line feel that these matters are *sub judice*. I also happen to be an advocate by profession and the questions that are likely to be put and answered are likely to be made use of on the floor of the courts either for the purpose of cross-examination or arguments and the like. I would therefore request you, Sir, to declare the further questions at any rate as *sub judice*. It will also smoothen matters. After all, we are here in order to bring about understanding and harmony and not to embitter feelings by making insinuations and counter-insinuations.

Mr. SPEAKER.—Here there is a difference. The question, which has already been answered the other day, is a different question altogether. That question refers to the incidents that took place while the procession was going, while this question refers to the incidents that took place while the procession was returning. So, I have allowed this question. I did not allow the previous question because it has already been answered the other day. Of course, I understand that matters are *sub judice*. I have to take all care to see that the replies that are given in this House are such as will not prejudice matters in court.

Sri T. SUBRAMANYA.—Sir, the very first answer to clause (*a*) is vitiated by *sub judice*. In reply to that clause it is stated that two Muslims suddenly attacked with knives the persons returning home with the image of Shivaji. Whether the attack itself is true is the point at issue. So, the whole thing relating to this question is vitiated by *sub judice* and I would, therefore, request the Chair not to allow any more questions from this qoint of view.

Mr. SPEAKER.—Of course had the same feeling as the Hon'ble Member Sri T. Subramanya just now expressed when I read the reply for the first time. I read it twice or thrice. When I read the reply for the second and third time, I came to the conclusion that it must be a charge sheet against the persons concerned. That is why I allowed it. Of course, I know that we will be landing in difficulties if I allow further supplementaries.

Sri K. HANUMANTHAIYA.—Another well-known principle in the matters is that in the case of border-line issues it is far better that this House errs in favour of the principles of *sub judice* than in favour of eludicating information.

Mr. SPEAKER.—I agree with you. I am taking all care.

The question time is over.

QUESTION FOR ANSWER ON THE DAY

(but not taken up)

Opening of a Government High School at Bavoor, Mallur Hobli, Channapatna Taluk.

Q.—584. Sri B. K. PUTTARAMIYA (Channapatna).—

Will the Government be pleased to state :—

(*a*) wether there was a proposal to establish a Government High School at Bavoor, Mallur Hobli, Channapatna Taluk ;

(*b*) whether the Director of Public Instruction has recommended for the establishment of a High School at Bavoor ;

(*c*) whether the recommendations of the D.P.I. have been sanctioned by Government ;

(*d*) whether any allotment has been made in the current year's budget for the purpose ;

(*e*) whether they intend opening the school from the current year ?